

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

RECEIVED
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Illinois Commerce Commission
RAIL SAFETY SECTION

Wisconsin Central Ltd., the Village of Mundelein, the County of Lake, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding the installation of an Automated Horn System (AHS system) at the crossings of the Company's track with public highways known as Butterfield Road, Illinois Rte. 60 (IL 60), Allanson Road, Hawley Street, Park Street, Maple Street (IL Rte. 176), Dunbar Road, Winchester Road, and Peterson Road, located in/near the Village of Mundelein, Lake County, Illinois, designated as crossings AAR/DOT 689 698N, milepost 37.37M; AAR/DOT 689 699V, milepost 37.50M; AAR/DOT 689 701U, milepost 38.65M; AAR/DOT 689 703H, milepost 39.80M; AAR/DOT 689 704P, milepost 39.94M; AAR/DOT 689 705W, milepost 40.10M; AAR/DOT 689 707K, milepost 40.85M; AAR/DOT 689 709Y, milepost 41.78M; AAR/DOT 689 710G, milepost 42.38M, respectively.

T01-0029

**VERIFIED THIRD SUPPLEMENTAL PETITION FOR AN ORDER APPROVING
AN EXTENTION OF TIME IN THE AUTOMATED HORN PROJECT**

Now comes Petitioner, Wisconsin Central Ltd. ("WCL"), and petitions the Illinois Commerce Commission (the "Commission") for an order approving additional funding in accordance with revised estimates for the automated horn project. In support of its Petition, WCL states as follows:

1. WCL is a rail carrier operating in Illinois and is a rail carrier within the meaning of the Illinois Commercial Transportation Law.
2. The Illinois Department of Transportation ("IDOT") is an agency of the State of Illinois and is subject to the jurisdiction of the Commission.
3. Lake County is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.
4. The Village of Mundelein is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.

DOCKETED

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5. WCL owns and operates a mainline of railroad through Cook County continuing into Lake County and to the Wisconsin border. This mainline carries freight trains and Metra trains. This main line passes through the municipalities made party respondents to this action.

6. On April 25, 2001, the Commission issued an order in this docket (the "Order") directing that WCL install automated horns (to provide warning to motorists of approaching trains) at nine at-grade rail-highway crossings in and around the Village of Mundelein. The Order is incorporated herein by reference.

7. The Order incorporated a Stipulated Agreement ("Stipulated Agreement") among the parties hereto and the Commission. The Stipulated Agreement assigned cost responsibilities for the installation of the automated horns at the nine crossings.

8. Costs for installation at two crossings, IL 176 and IL 60, were assigned to the Illinois Department of Transportation.

9. Costs for installation of the remaining seven crossings were assigned to the Grade Crossing Protection Fund and a cap was imposed for that installation at \$287,098.00.

10. On December 5, 2001, the Commission ordered that the cap for installation costs on the Grade Crossing Protection Fund be increased by \$87,061.00 and that IDOT's obligation be increased by \$29,833.00.

11. Upon further review and assessment, WCL has concluded that costs for installation at the nine crossings will exceed the amounts authorized in the Commission's December 5, 2001 Order in this Docket.

12. The costs exceeded the estimate due to additional testing that WCL did not anticipate and due to changes in the equipment that were implemented as a result of testing.

13. Included in these changes were changes requested by Commission staff, such as changes in the speaker configuration and some changes in the software due to the unique situations at each of the crossings.

14. WCL is desiring that the current obligations of the Grade Crossing Protection Fund and IDOT for installation of the horn system at the nine crossings be increased to match the actual costs.

WHEREFORE, Petitioner Wisconsin Central Ltd. respectfully requests that the Commission:

a. Increase the obligation of the Grade Crossing Protection Fund set forth in Section 6 of the Stipulated Agreement that is incorporated to the Commission's Order of April 25, 2001 in this Docket by an additional \$41,000.00;

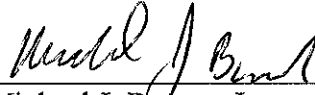
b. Increase the obligation of IDOT as set forth in Section 6 of the Stipulated Agreement that is incorporated to the Commission's Order of April 25, 2001 in this Docket by an additional \$1,000.00;

c. Provide such other and further relief as the Commission deems just and appropriate.

Dated at Chicago, Illinois this 16th day of October, 2002.

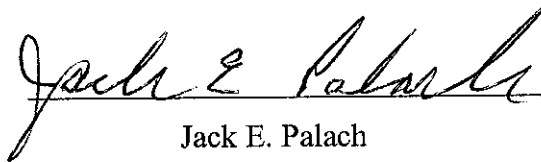
Respectfully submitted,

WISCONSIN CENTRAL LTD.

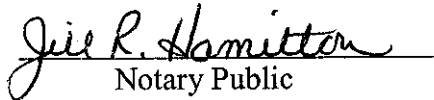
By: 
Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
Canadian National/Illinois Central
455 North Cityfront Plaza Drive
Chicago, IL 60611-5317
(312) 755-7954
ARDC #6228809

VERIFICATION

JACK E. PALACH, being first duly sworn under oath, deposes and states that he is Signal Design Officer of Wisconsin Central Ltd., that he has read the foregoing Petition of Wisconsin Central Ltd., and that the contents thereof are true and correct to the best of his knowledge and belief.


Jack E. Palach

Subscribed and Sworn to before me
this 11th day of October, 2002.


Notary Public

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Wisconsin Central Ltd., the Village of Mundelein, the County of Lake, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding the installation of an Automated Horn System (AHS system) at the crossings of the Company's track with public highways known as Butterfield Road, Illinois Rte. 60 (IL 60), Allanson Road, Hawley Street, Park Street, Maple Street (IL Rte. 176), Dunbar Road, Winchester Road, and Peterson Road, located in/near the Village of Mundelein, Lake County, Illinois, designated as crossings AAR/DOT 689 698N, milepost 37.37M; AAR/DOT 689 699V, milepost 37.50M; AAR/DOT 689 701U, milepost 38.65M; AAR/DOT 689 703H, milepost 39.80M; AAR/DOT 689 704P, milepost 39.94M; AAR/DOT 689 705W, milepost 40.10M; AAR/DOT 689 707K, milepost 40.85M; AAR/DOT 689 709Y, milepost 41.78M; AAR/DOT 689 710G, milepost 42.38M, respectively.

T01-0029

NOTICE OF FILING

Mr. Edward R. Gower
Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Pkwy., Room 300
Springfield, IL 62764

Mr. Mike Flynn
Asst. Village Administrator
Village of Mundelein
440 E. Hawley Street
Mundelein, IL 60060

Mr. Robert Berry
Railroad Safety Specialist
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Mr. Dusty Powell
Division of Transportation
Lake County
600 W. Winchester Road
Libertyville, IL 60048-1381

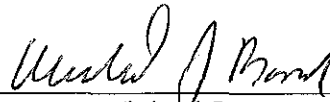
PLEASE TAKE NOTICE that we have on the 16th day of October, 2002, mailed for filing with the Illinois Commerce Commission, Wisconsin Central Ltd.'s Verified Third Supplemental Petition for an Order Approving Funding in Accordance with Revised Estimates in the above-captioned matter, a copy of which is hereby served upon you.

WISCONSIN CENTRAL LTD.

By: Michael J. Barron, Jr.
Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.
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455 North Cityfront Plaza Drive
Chicago, IL 60611-5317
(312) 755-7954
ARDC #6228809

CERTIFICATE OF SERVICE

I, MICHAEL J. BARRON, JR., an attorney, certify that on behalf of Petitioner, I served the foregoing Verified Third Supplemental Petition upon the respondents made party to this proceeding by enclosing copies of the Petition in envelopes addressed to those parties as set forth below, postage prepaid, and depositing the envelopes in the U.S. Mail at 455 North Cityfront Plaza Drive, Chicago, Illinois 60611 on the 16th day of October, 2002.



Michael J. Barron, Jr.

Mr. Edward R. Gower
Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Pkwy, Room 300
Springfield, IL 62764

Mr. Robert Berry
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